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BY ECF

Honorable Brian M. Cogan
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Michael Vax
22 Cr. 324 (BMC)

Dear Judge Cogan:

I represent Michael Vax in this matter, which is scheduled for a conference regarding a violation of bail conditions on January 23, 2023. Mr. Vax has tested positive for marijuana ten times between October 12 and December 12, 2022, violations which it is expected he will admit. He will not admit the single positive result for cocaine on the first test of October 12, 2022. He has a prescription for the use of medical marijuana and a license to purchase from dispensaries in Florida, where he resides.

I write to request that Mr. Vax not be required to make the trip to appear personally at the hearing, but rather that he be permitted to dial-in by phone and participate remotely. I plan to make a separate submission on the merits of the violation before the hearing, but write the instant letter to request, without opposition from Pre-Trial Services, by Officer Anna Lee, or the government, by AUSA Andrew Estes, both of whom take no position.

Mr. Vax resides with his wife in West Palm Beach. He is 64 years old, suffers from several medical conditions, and maintains employment in Florida. It would be a significant hardship for him and his wife to make the lengthy and costly trip to New York City to appear in person, and he requests of the Court to be excused from doing so.

Should the Court desire further information about Mr. Vax's medical conditions, I will make a separate sealed submission at your Honor's request.

Thank you very much for your attention to this matter.

Respectfully,

Robert A. Soloway

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RAS:sc